

REMARKS

This Amendment is in response to the Office Action mailed 06/07/2006. Reconsideration in light of the amendments and remarks made herein is respectfully requested.

Specification

4. The Examiner objects to the specification because of noted informalities.

Applicant has amended paragraphs [0029] and [0033] as suggested by the Examiner and respectfully requests that the Examiner withdraw the objection to the specification.

Claim Objections

Rejection Under 35 U.S.C. § 112, first paragraph

5. The Examiner rejects claims 21 and 23-25 under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Regarding claim 21, the Examiner finds that the specification and drawings do not appear to provide support for the cutter as recited in claim 20 further comprising a means for providing a delay time between the receiving of the synchronization signal and the providing of the actuating signal. Rather, support is provided for the "means for adjusting" performing the delay time function. Applicant has amended claim 21 to provide that the "means for adjusting" adjusts the delay time.

Regarding claim 23, the Examiner finds that the specification and drawings do not appear to provide support for the cutter as recited in claim 22 further comprising means for comparing the synchronization signal and a target value. Rather, support is provided for the "means for adjusting" performing the comparing function. Applicant has amended claim 23 to provide that the "means for adjusting" performs the comparing function.

Regarding claim 24, the Examiner finds that the specification and drawings do not appear to provide support for the cutter as recited in claim 23 further comprising means for comparing the synchronization signal and a goal value. Rather, support is provided for the "means for adjusting" performing the comparing function. Applicant has amended claim 21 to provide that the "means for adjusting" performs the comparing function.

Applicant respectfully requests that the Examiner withdraw the rejection of claims 21 and 23-25 under 35 U.S.C. § 112, first paragraph.

Rejection Under 35 U.S.C. § 112, second paragraph

6. The Examiner rejects claims 20-25 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 20, line 2, the Examiner finds that the claim is vague and indefinite as to whether the cutting knife is being claimed, and it is suggested between lines 1 and 2 to insert --a cutting knife;--, and in line 2 to change "a cutting" to --the cutting-- or the like; in line 7, the recitation "means for receiving a signal . . ." renders the claim vague and indefinite since sufficient structure has not been set forth to perform such a function, and it is suggested between

lines 6-7 to insert "--means for sensing a position of the cutting knife;--", and in line 7 to insert --
from the position sensing means-- after "signal" or the like. Applicant has amended claim 20 as
suggested by the Examiner.

In claim 21, lines 1-2, the Examiner finds that the recitation "means for providing a delay
time . . ." is vague and indefinite as to what disclosed structure it refers; in lines 3-4, the
recitation "wherein the means for adjusting the subsequent actuating signals is further for
adjusting the delay time" is vague and indefinite as to what is being set forth, particularly in view
of the recitation set forth in lines 1-2. Applicant has amended claim 21 as discussed above.

In claim 23, lines 1-2, the Examiner finds that the recitation "means for comparing the
synchronization signal and a target value" is vague and indefinite as to what disclosed structure it
refers. Applicant has amended claim 23 as discussed above.

In claim 24, lines 1-2, the Examiner finds that the recitation "means for comparing the
synchronization signal and a goal value" is vague and indefinite as to what disclosed structure it
refers. Applicant has amended claim 24 as discussed above.

Applicant respectfully requests that the Examiner withdraw the rejection of claims 20-25
under 35 U.S.C. § 112, second paragraph.

Allowable Subject Matter

7. Applicant notes with appreciation the Examiner's allowance of claims 1-13.

8. Applicant notes with appreciation the Examiner's indication that claims 20-25 appear to be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112 set forth in this Office action.

Conclusion

Applicant reserves all rights with respect to the applicability of the doctrine of equivalents. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. If any other petition is necessary for consideration of this paper, it is hereby so petitioned. Please charge any shortage in fees in connection with the filing of this paper, including extension of time fees, to Deposit Account 02-2666 and please credit any excess fees to such deposit account.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 09/07/2006

By /James Henry/

James Henry
Reg. No. 41,064
Tel.: (714) 557-3800 (Pacific Coast)